

**REMARKS**

Claims 1-16 and 21-22 are present in this application. Claims 17-20 have been canceled. Claims 21 and 22 have been added. Claims 1-16 have been amended. Reconsideration of this application, as amended, is respectfully requested.

***Priority***

Applicants appreciate the Examiner's acknowledging Applicants' claim for foreign priority under 35 U.S.C. § 119, and receipt of the certified priority document.

***Drawings***

The Examiner has objected to the drawings because element 12 and 24 in Figure 17 are not clearly depicted from each other. As the Examiner will note, attached hereto is a Drawing Correction Approval Request for the changes to the drawings as suggested by the Examiner. In particular, element 12 has been extended to indicate the sheath member, and element 24 is indicated as the outer peripheral surface, as supported throughout by the instant-specification.

The drawings also stand objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign not mentioned in the description. Accordingly, Applicants have amended the specification on page 17, lines 7 and 9 to indicate that reference numeral 48 denotes a connecting paper.

This amendment is fully supported by the drawings as originally filed. The Examiner is directed to Figure 18. In view of the full support of the disclosure as originally filed, Applicants respectfully submit that no new matter is presented by this amendment.

Accordingly, reconsideration and withdrawal of the objections are respectfully requested.

***Claim Rejection Under 35 U.S.C. 112***

Claims 17-20 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. This rejection is respectfully traversed.

As the Examiner will note, claims 17-20 have been canceled, thus rendering the rejection moot. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph are respectfully requested.

***Claim Rejection Under 35 U.S.C. § 102 and 103***

Claims 1, 4-12 and 16 stand rejected under 35 U.S.C. 102(b) as being anticipated by Newsome et al., U.S. Patent No. 5,178,166. Claims 1, 4-10, 15 and 16 stand rejected as being unpatentable by Morifuji et al., U.S. Patent No.

4,488,563. Claims 2, 3 and 14 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Morifuji. These rejections are respectfully traversed.

The present invention is drawn a filter for a cigarette with a combination of elements having a cylindrical filtering core; a tubular filtering sheath surrounding the core, and provided between the core and the sheath are passages, wherein the passages are spaced circumferentially around the core and extending continuously between open ends at the two ends of the assembly; and a tipping paper surrounding the filter.

Accordingly, Applicants respectfully submit that the references relied on by the Examiner are insufficient to teach the present invention.

In particular, Applicants respectfully submit that the prior art reference of Newsome et al. fails to disclose each and every element of independent claim 1. Specifically, Newsome et al. fails to disclose or teach a tubular filtering sheath surrounding the core. The Examiner asserts that element 26 in Newsome denotes a tubular filtering sheath. However, Applicants respectfully submit that element 26 is not a tubular filtering sheath, but rather a tipping paper. As disclosed, the present invention teaches a tubular filtering sheath surrounding the core and a tipping paper surrounding the filter. Accordingly, the tipping paper 26 in Newsome cannot be designated as a tubular filtering sheath, as suggested by the Examiner.

Similarly, the device of Morifuji et al. also teaches a tipping paper surrounding the core, and thus fails to disclose a tubular filtering sheath.

Further, the present invention discloses the passages extending continuously between open ends at the two ends of the assembly. However, Applicants respectfully submit that the prior art references fail to disclose this aspect of the present invention. In particular, the passages 25 in Newsome et al. fail to extend *continuously* between open ends at the two ends. Newsome et al. discloses a blocking mean 22 positioned between the two ends of the passages, thus forming a non-continuous passage in the filter. The Examiner is directed to Figure 1 in Newsome et al. Accordingly, the prior art reference of Newsome et al. cannot anticipate the present invention.

As to the dependent claims, Applicants respectfully submit that these claims are allowable due to their dependency upon allowable independent claim, as well as for additional limitations provided by these claims.

In accordance with the above amendments and remarks, Applicants respectfully submit that the claims of the instant application are in condition for allowance. Accordingly, reconsideration and withdrawal of the claim rejections under 35 U.S.C. 102 and 103 are respectfully requested.

***Allowable Subject Matter***

The Examiner states that claim 13 would be allowable if rewritten in independent form.

Applicants thank the Examiner for the indication of allowable subject matter in this application. Claim 13 has not been rewritten in independent form at this

time, since it is believed that independent claim 1 from which this claim depend is allowable.

**Conclusion**

Since the remaining patents cited by the Examiner have not been utilized to reject the claims, but rather to merely show the state-of-the-art, no further comments are necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact David J. Cho, Registration No. 48,078 at (703) 205-8000 in the Washington, D.C. area.

Attached hereto is a marked-up version of the changes made to the application by this Amendment.

Appl. No. 09/624,246

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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Attachment: Marked-Up Version Showing Changes Made

**MARKED-UP VERSION SHOWING CHANGES MADE**

**IN THE SPECIFICATION:**

**The paragraph beginning on page 17, lines 6-10, has been amended as follows:**

The filter 4 and the tip element 44 are connected by connecting paper 48 to form a dual filter. The dual filter is connected to cigarette 2 by tipping paper 6. The connecting paper 48 has air permeability when there is to be ventilation of the filter.

**IN THE CLAIMS:**

**Claims 17-20 have been cancelled.**

**The claims have been amended as follows:**

1. (Amended) A filter for a cigarette, comprising an assembly of:  
a cylindrical filtering core;  
a tubular filtering sheath surrounding said core[;], and[,] provided between said core and said sheath are passages,  
wherein said passages are spaced circumferentially around said core and extending continuously between open ends at the two ends of the assembly and;  
a tipping paper surrounding said filter.

2. (Amended) [A] The filter according to claim 1, wherein said sheath has a thickness of 1 to 3 mm, such that a [the] ratio of [the] a diameter of said core to the thickness of said sheath is from 0.7 to 6[, and there are 3 to 25 of said passages].

3. (Twice Amended) [A] The filter according to claim 1, wherein said sheath has an axial air-flow resistance higher than that of said core.

4. (Twice Amended) [A] The filter according to claim 1, [having] further comprises means for introducing air into said passages through said sheath.

5. (Twice Amended) [A] The filter according to claim 1, wherein said core has a plurality of longitudinal grooves at [the] an outer peripheral surface thereof, and said passages are defined between the longitudinal grooves and [the] an inner peripheral surface of said sheath.

6. (Amended) [A] The filter according to claim 5, wherein the longitudinal grooves are provided by a thermoformed outer peripheral surface of said core or by a corrugated wrapper or a grooved tubular element at the outer peripheral surface of said core.



7. (Amended) [A] The filter according to claim 6, wherein both the inner and outer peripheral surfaces of said sheath [have] are air [permeability] permeable.

8. (Twice Amended) [A] The filter according to claim 1, wherein said sheath has a plurality of longitudinal grooves at [the] an inner peripheral surface thereof, and said passages are defined between the longitudinal grooves and [the] an outer peripheral surface of said core.

9. (Amended) [A] The filter according to claim 8, wherein the longitudinal grooves are provided by a thermoformed inner peripheral surface of said sheath or by a corrugated wrapper or a grooved tubular element at the inner peripheral surface of said sheath.

10. (Amended) [A] The filter according to claim 9, wherein both the inner and outer peripheral surfaces of said sheath [have] are air [permeability] permeable [or the outer peripheral surface of said sheath has air permeability and openings are formed in said tubular element in communication with the longitudinal grooves].

11. (Twice Amended) [A] The filter according to claim 1, [having] further comprises a cylindrical corrugated wrapper arranged between said core and said

sheath, said passages being defined between said corrugated wrapper and said core and between said corrugated wrapper and said sheath.

12. (Twice Amended) [A] The filter according to claim 1 [having] further comprises a tubular element arranged between said core and said sheath and having said passages therein.

13. (Amended) [A] The filter according to claim 12, wherein both the inner and outer peripheral surfaces of said sheath [have] are air [permeability] permeable, and openings are formed in said tubular element in communication with said passages.

14. (Twice Amended) [A] The filter according to claim 1, wherein the passages have a total cross-sectional area of 1 to 3 mm<sup>2</sup>.

15. (Twice Amended) [A] The filter according to claim 1, wherein the assembly is in longitudinal alignment with a cylindrical tip element, said tip element having [[a]] a length from 2 to 20 mm which is correspondingly from 8 to 60% of [the] an overall length of said filter, and [[b]] an axial air-flow resistance of 80 or less mmH<sub>2</sub>O/25 mm.

16. (Amended) [A filter tipped cigarette having a filter as claimed in claim 1 connected to a cigarette by] The filter according to claim 1, wherein said tipping paper [having] is air [permeability] permeable.

Claims 21 and 22 have been added.